

PLEASE RECORD AND RETURN TO:

Randi Johl, City Clerk

P.O. Box 3006

Lodi, CA 95241-1910



RESOLUTION NO. 2006-232

A RESOLUTION OF THE LODI CITY COUNCIL
VACATING TWO PUBLIC UTILITY EASEMENTS
LOCATED AT 1028 SOUTH SCHOOL STREET AND
1029 SOUTH SACRAMENTO STREET

WHEREAS, this City Council, acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 4th day of October, 2006, pass and adopt Resolution of Intention No. 2006-181 therein declaring the intention of said City Council to vacate two public utility easements located at 1028 South School Street and 1029 South Sacramento Street, Lodi, California, County of San Joaquin, State of California, more particularly described as follows, to wit:

Legal Description - 1028 South School Street- 16' Public Utility Easement:

A 16-foot public utility easement as described in Book 2194, Official Records, Page 97, San Joaquin County Records. Beginning at a point on the South line of Salas Tract as filed for record April 17, 1956, Volume 14, Page 91, Book of Maps and Plats, San Joaquin County Records, said point also being South 87°31'30" West, 2.12 feet from the Southwest corner of Lot 22 of said Salas Tract and 142 feet East, as measured perpendicularly, from the center line of School Street: thence Southerly 498 feet, more or less, to a point on the North line of Park Street as shown on the map of "Koenig Subdivision" as filed for record March 16, 1938 in Volume 11, Page 33, Book of Maps and Plats, San Joaquin County Records, said point being 142 feet East, as measured perpendicularly, from the center line of School Street: thence North 87°55'30" East along said North line of said Park Street, 16.11 feet to a point; thence Northerly 498 feet, more or less, to a point on said South line of said Salas Tract; thence South 87°31'30" West, 16.11 feet to the point of beginning.

Legal Description - 1029 South Sacramento Street - 11' Public Utility Easement:

The centerline of an 11-foot strip of land as described in Instrument No. 93068812, San Joaquin County Records. The Point of Commencement being the intersection of the South line of a portion of Lot 1 of "A.J. Larson's Subdivision", as filed for record in Volume 2 of Maps & Plats, Page 6, San Joaquin County Records, with the East line of South School Street; thence along said East line of South School Street N 04°42' E, 14.31 feet to the North line of Park Street as shown on Survey as filed for record in Book 5, of Surveys, Page 154, San Joaquin County records: thence N 88°17' E, 112.71 feet along said North line of Park Street to a point of intersection with the West line of said above referenced 16 foot Public Utility Easement, lying 142 feet East, as measured perpendicularly, from the center line of School Street; thence N 04°42' E, 153.4 feet along the West line of said 16-foot easement; thence S 85°18' E, 16 feet to a point lying on the East line of said 16-foot easement being the True Point of Beginning: thence S 85°18' E, 57.0 feet, to the Point of Termination.

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form, and manner as required by law as is evidence by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated herein and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, December 20, 2006, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, at the December 20, 2006, City Council meeting, from the evidence submitted, the City Council of the City of Lodi did determine that said two public utility easements located at 1028 South School Street and 1029 South Sacramento Street, Lodi, California is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacations are consistent with the General Plan of the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned two public utility easements located at 1028 South School Street and 1029 South Sacramento Street, Lodi, California, as more particularly described above.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the vacation(s).

Dated: December 20, 2006

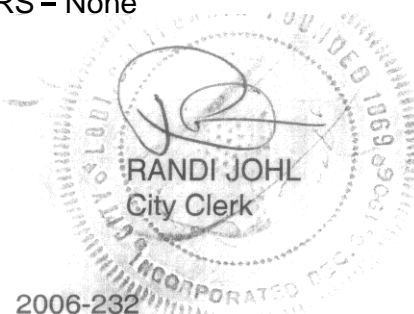
I hereby certify that Resolution No. 2006-232 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 20, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None





PUBLIC WORKS DEPARTMENT

